



## Chair's Report

Spring 2016

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*Dear Members of the ITA Community*

With the Workshop and our annual membership gathering in June fast approaching, I write to report on some of the recent activities of [the Institute](#) and to encourage all of you to join us in Dallas next month.

### **ITA's Americas Workshop Examined How International Arbitral Tribunals Address Corruption Claims**

ITA's 10<sup>th</sup> Americas Workshop was held in Mexico City in partnership with the Arbitration & Mediation Center of the National Chamber of Commerce of Mexico City (CANACO). Bringing this important topic to light in Mexico City, our conference organizers, Cecilia Flores (Basham Ringe y Correa, Mexico City) and Claus von Wobeser (Von Wobeser y Sierra, Mexico City), put together an informative conference addressing the challenging issues that arise when corruption is alleged in an international arbitration. Among the highlights of the event, Bernardo Sepúlveda Amor, immediate past vice president of the International Court of Justice and ITA member, presented the keynote luncheon address on issues of evidence before the Court.

### **ITA Joined Forces with the IEL and the ICC to Present Our Third International Energy Arbitration Conference in Houston**

The ITA together with CAIL's Institute for Energy Law and the ICC presented what has become a very popular Conference on International Energy Arbitration in Houston. This year's event was expertly organized by co-chairs Mark Baker (Norton Rose Fulbright US, Houston), Karl Hennessee (Vice President - Public Law and Technology, Halliburton, Houston) and Toni Hennike (Vice President Legal – Exploration, Development, Drilling & Services, Hess Corporation, Houston) with an industry-focused faculty addressing a range of issues relevant to international arbitration in the oil and gas industry today. Highlights included the keynote address by former Noble Energy Chairman/CEO Chuck Davidson and a lunch program that featured an oral history interview of international arbitration pioneer Gerald Aksen by Prof. Andrea Bjorklund (McGill University Faculty of Law, Montreal).

### **The ITA Partnered with ASIL to Shine a Spotlight on Ethics in International Arbitration**

The ITA's Academic Council, together with the American Society of International Law, presented our 14<sup>th</sup> ITA-ASIL Conference in Washington DC. This year's topic, which was examined with scholarly insight, was the ethical obligations of arbitrators and advocates. The Conference was led by co-chairs Prof. Erin O'Hara O'Connor



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(Vanderbilt University School of Law, Nashville) and Ank Santens (White & Case, New York) and addressed the conflicting views of arbitrators as either adjudicators or service providers and the debates as to how the regulation of counsel conduct should be organized. The conference featured a keynote address by the Honorable Ian Binnie, CC, QC, former Justice of the Supreme Court of Canada.

### **The ITA Academic Council's Projects Continue to Enrich the International Arbitration Community**

The ITA's [Academic Council](#), led by Prof. Susan Franck (American University, Washington College of Law, Washington, DC, starting August 2015), has several important on-going projects.

The Academic Council's oral history project led by Prof. Andrea Bjorklund (McGill University Faculty of Law, Montreal) and Prof. Victoria Shannon Sahani (Washington & Lee University College of Law, Lexington) continues to advance. The project aims to record the evolution of modern international arbitration in the words of those who have led it. So far the project has recorded interviews of Charles N. Brower, Yves Fortier, Martin Hunter, Gary Born, Bernardo Sepúlveda Amor, and Gerald Aksen. These fascinating interviews will soon be available online for free at ITA's expanding Online Education website.

The Academic Council has prepared and is ready to launch an online resources portal that will include collections of course syllabi and other teaching materials (available to the public) and a listserv (for international dispute resolution instructors). This project has been led by Prof. Manuel Gomez (Florida International University College of Law, Miami) and Prof. S.I. Strong (University of Missouri School of Law, Columbia) and is designed to enable professors and adjunct instructors to share and comment on what works best in teaching students of this dynamic field.

Under the direction of Prof. Karen Halverson Cross (The John Marshall Law School, Chicago), members of the Academic Council continue to provide timely scholarly analyses each month on the popular [KluwerArbitrationBlog](#), available to the international arbitration community as a free subscription service through [KluwerArbitration.com](#).

### **The ITA's Americas Initiative Is Updating Its Innovative Guide to Latin American Arbitral Institutions**

The ITA's [Americas Initiative](#), under the leadership of Jonathan Hamilton (White & Case, Washington), provided the first comprehensive overview of the many arbitral institutions in Latin America. This informative guide is available online on ITA's website. The dynamic changes in the region call for an update to the guide, which is now in the works by a team led by Eduardo Damião Gonçalves (Mattos Filho, Veiga Filho, Marrey Jr. e Quiroga Advogados, São Paulo) and Cecilia Flores Rueda (Basham Ringe y Correa, Mexico City), and which is expected to be ready for publication in the fall.

Other exciting projects are currently being planned under the leadership of in-coming Americas Initiative chair Andrés Jana (Bofill Mir & Alvarez Jana Abogados, Santiago) with a focus on ITAFOR, the Spanish-Portuguese language listserv designed to foster discussion on international arbitration in Latin America, and ITA's ITAFOR partners, Asociación Latinoamericana de Arbitraje (ALARB) and Comitê Brasileiro de Arbitragem (CBAr).

The annual meeting of the Americas Initiative Committee will be in Dallas on Friday morning, June 17, immediately preceding the ITA Forum.

## **ITA Young Arbitrators Initiative is Expanding its Already Rich Programming and its Reach**

The [Young Arbitrators Initiative \(YAI\)](#) Committee under the tireless leadership of chair Montserrat Manzano (Von Wobeser y Sierra, Mexico City) and vice chair Silvia Marchili (King & Spalding, Houston) has been working overtime to organize Roundtables and speakers on topics of interest in connection with each ITA conference event.

To expand YAI's reach, the Committee is now launching YAI Groups and YAI TALKS#.

YAI Groups are local groups designed to provide a forum for young international arbitration practitioners to plan social gatherings, exchange ideas about the theory and practice of international arbitration, and develop relationships with each other. In April, a Facebook group was launched for young practitioners in Houston and the first Houston event, an informal happy hour, took place earlier this month.

YAI TALKS# is a series of special programs organized in different cities where YAI members reside. The first YAI TALKS# program was recently held in Washington, D.C. co-sponsored with Quinn Emmanuel Urquhart & Sullivan on hot topics arising from recent decisions in investment arbitration.

If you are interested in hosting a YAI TALKS# event or participating in an ITA YAI Group in your city, please contact Montse or Silvia. The annual meeting of the Young Arbitrators Initiative Committee will be in Dallas on Thursday morning, June 16, immediately preceding the Workshop.

## **ITA's Publications Provide Opportunities to Share Knowledge and to Connect with the ITA Community**

All ITA members receive a subscription to ITA's quarterly law journal, [World Arbitration and Mediation Review \(WAMR\)](#), a journal that benefits from the guidance of its editors-in-chief Doak Bishop (King & Spalding, Houston), Prof. Andrea Bjorklund (McGill University Faculty of Law, Montreal) and Dietmar Prager (Debevoise & Plimpton, New York), and that is skillfully managed by a dedicated editorial staff composed of members of the ITA community. WAMR managing editors Rafael Boza (Sulzer Chemical, Houston) and Nontas Triantafilou (Quinn Emmanuel, London) are now accepting applications for three open assistant editor positions. If you are interested in this opportunity to work with an outstanding editorial board, or know someone who is, please contact Rafael or Nontas directly!

[KluwerArbitration.com](#), founded in 2001 at the initiative of the ITA and Prof. Roger Alford, together with partners Kluwer publishing and the Permanent Court of Arbitration, is the most comprehensive, up-to-date portal for international arbitration resources on the internet. The [ITA Arbitration Report](#), which is available as a free subscription service through KluwerArbitration.com, continues to provide timely news of developments in international arbitration based on the contributions of our 85-member strong Board of Reporters, covering 59 countries and arbitral institutions. The ITA Arbitration Report is compiled thanks to our general editor Prof. Roger Alford (University of Notre Dame Law School, Notre Dame, IN), and managing editors Elina Mereminskaya (Bofill Mir & Alvarez Jana, Santiago) and Monique Sasson (JAMS, New York).

[ITAFOR](#) (ITA Foro de Arbitraje Latinoamericano/ITA Fórum de Arbitragem Latino-americana/ITA Latin American Arbitration Forum), our primarily Spanish-Portuguese language listserv, now counts almost 500 subscribers and continues to be the primary online forum for arbitrators and practitioners in Latin America. ITAFOR subscriptions are free, courtesy of ITA and its co-sponsors the Asociación

Latinoamericana de Arbitraje (ALARB) and the Comitê Brasileiro de Arbitragem (CBar). Special thanks for this service are due to past Americas Initiative chair José Astigarraga and our five ITAFOR moderators: Prof. Fernando Cantuarias (Law School of Universidad Del Pacífico, Lima), Eduardo Damião Gonçalves (Mattos Filho, Veiga Filho, Marrey Jr. e Quiroga Advogados, São Paul), Francisco González de Cossío (González de Cossío Abogados, S.C., Mexico City), Clifford Hendel (Araoz & Rueda Abogados, Madrid) and Elsa Ortega (Ortega & Gomez Ruano, S.C., Mexico City).

ITA's popular newsletter, [News & Notes](#), with its [Scoreboard of Treaty Adherence](#) has remained a favorite for many years, as confirmed by our most recent member survey. Our current editor Wade Coriell (King & Spalding, Houston), associate editor Hansel Pham (White & Case, Washington, DC), and the editorial board members have been providing us with accurate information about treaty adherence, insightful articles and timely updates on the activities of our members to help us to stay connected.

We have enjoyed receiving a hard copy of News & Notes thanks to the exceedingly generous 30-year long financial support of our sponsor SMU Law School. As SMU has concluded that all good things must come to an end, there is a new opportunity for another institution or group to support the print publication and mail distribution of News & Notes. Then again, it may be time to go green and spread our News & Notes only electronically. Let me know your thoughts!


In fact, ITA has been communicating more regularly than ever before, ensuring news of our conferences and speakers is well publicized and reported. You can also follow us on [LinkedIn](#) and [Twitter](#) and Like us on [Facebook](#) and generally stay connected to all things ITA thanks to the energetic efforts of many on our Communications Committee led by chair Tom Sikora (Counsel, International Disputes, ExxonMobil, Houston) and vice chair Sylvia Tonova (Jones Day, London).

### **We Have a Truly Great Program Lined Up for This Year's Workshop in Dallas You Won't Want to Miss**

I hope you are making your plans now to be at the [28<sup>th</sup> ITA Workshop](#) in Dallas June 15-17, 2016. We will be exploring the important and practical theme: *When Justice Delayed Would Be Justice Denied: Emergency Arbitrators and Interim Measures in International Arbitration*. This year's workshop has been thoughtfully assembled by co-chairs Jennifer Kirby (Kirby, Paris), David Brynmor Thomas (39 Essex Chambers, London), and Dr. Shahla Ali (University of Hong Kong Faculty of Law) and will include keynotes by James Castello (King & Spalding, Paris) and Prof. Patricia Shaughnessy (University of Stockholm School of Law). The luncheon will feature an oral history interview of immediate past ICCA president Albert Jan van den Berg (Hanotiau & van den Berg, Brussels) by ICSID Secretary-General Meg Kinnear (Washington, DC). Among the highlights of the workshop, the ITA Advisory Board annual reception and dinner meeting once again will be held at the beautiful and historic Dallas Country Club.

See you in Dallas!

Sincerely,



Abby Cohen Smutny  
Chair, ITA Advisory Board